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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 JOSE RAMIREZ,  
12 Plaintiff,

13 v.  
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15 NATIONSTAR MORTGAGE, LLC, a  
16 Delaware Limited Liability Company;  
17 BANK OF AMERICA, a National  
18 Association; CAL-WESTERN  
19 RECONVEYANCE, LLC, a California  
20 Limited Liability Company; and DOES 1  
21 through 10, inclusive,  
22 Defendants.

Case No. 5:13-05100 HRL

**ORDER TO SHOW CAUSE RE  
SUBJECT MATTER JURISDICTION**

23 Jose Ramirez sues for alleged violations of state law arising out of home mortgage  
24 foreclosure proceedings. His complaint was filed on October 31, 2013, along with an application  
25 to proceed in forma pauperis. Having reviewed the record, the court directs plaintiff to show  
26 cause re this court's subject matter jurisdiction.

27 Federal courts have original jurisdiction over civil actions "arising under the Constitution,  
28 laws, or treaties of the United States." 28 U.S.C. § 1331. A claim "arises under" federal law if,  
based on the "well-pleaded complaint rule," the plaintiff alleges a federal claim for relief. Vaden  
v. Discovery Bank, 129 S. Ct. 1262, 1272 (2009). Because Ramirez alleges only state law claims  
for relief, there is no basis for federal question jurisdiction.

1 Nor does the complaint sufficiently allege diversity jurisdiction. Federal district courts  
2 have jurisdiction over civil actions in which the matter in controversy exceeds the sum or value of  
3 \$75,000 (exclusive of interest and costs) and is between citizens of different states. 28 U.S.C.  
4 §1332. Here, the complaint suggests that Ramirez and at least one of the defendants are California  
5 citizens.

6 Accordingly, Ramirez shall file a written response to this order and show cause re this  
7 court's subject matter jurisdiction over his complaint. Ramirez's written response shall be filed no  
8 later than **November 19, 2013**.

9 SO ORDERED.

10 Dated: November 5, 2013

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14 HOWARD R. LLOYD  
15 UNITED STATES MAGISTRATE JUDGE  
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United States District Court  
Northern District of California

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5:13-cv-05100-HRL Notice has been electronically mailed to:  
Edward Robert Ramirez    err@ramirezassociatesllp.com